

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas B. Thrash, Jr., et al :
: Examiner: Hepperle, Stephen M
:
Serial No.: 10/604,676 : Group Art Unit: 3753
:
Filed: August 8, 2003 : Attorney Docket No.: 716909.22
:
For: CHATTER RESISTANT SHUTTLE :
VALVE : Customer No.: 027128
:
Last Office Action: February 10, 2006 : Confirmation No.: 1675

DECLARATION UNDER 37 CFR 1.132

I, Scott J. Senner, do hereby declare as follows:

1. I am Engineering Manager at Gilmore Valve Co., Ltd. the assignee of the above identified U.S. Patent Application.
2. I have reviewed our sales records for valves that contain the invention claimed in the above identified Patent Application. We produce three different valves that utilize the invention. Those are our part numbers 27134-1, 27123-1 and 27133-1. The only difference in these valves is the size of the valve.
3. The sales for the valves for 2005 and YTD 2006 are as follows: Part No. 27134-1, total sales \$121,440.00 representing the sale of 759 valves at \$160.00 each. For Part No. 27123-1, sales are \$112,158.00 representing the sale of 558 valves at \$201.00 each. For Part No. 27133-1, sales are \$77,602.00 representing the sale of 322 valves at \$241.00 each. The total

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Serial No.: «SERIAL»

Amendment

sales for the valves for 2005 and YTD 2006 is \$311,200.00.

4. In view of the reduction in sales of valves to the oil industry, which the subject valves are used in, during the above period of sales, it is my opinion that these sales indicate a commercial success in the marketplace. The claimed inventive combination and in particular those features relating to the dampening structure including first and second dampening chambers to reduce chatter, are defined in the independent claims. I attribute the sales of these valves to the claimed inventive features and the particular construction(s) permitting improved performance for this type of valve and its ability to function at large depths in water in addition to the ability to manufacture the inventive valve at little if any additional cost over similar valves. The commercial success of the valve, in my opinion is attributable to the particular capabilities and flexibilities associated with the particular construction of the claimed valve as compared to units previously manufactured by others.

5. I further declare that all statements made herein are made of my own knowledge and are true: and further that these statements were made with the knowledge that willful false statements in the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and as such willful statements may jeopardize the validity of the application or any patent issued thereon.

FURTHER DECLARANT SAYETH NOT.

Signature: 
Scott J. Senner

Date: 07/28, 2006